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01 May 2013

Version of attached file:

Published Version

Peer-review status of attached file:

Peer-reviewed

Citation for published item:

Brooks, Thom (2007) 'No rubber stamp : Hegel's constitutional monarch.', History of political thought., 28 (1). pp. 91-119.

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NO RUBBER STAMP: HEGEL'S CONSTITUTIONAL MONARCH

Thom Brooks¹

Abstract: Perhaps one of the most controversial aspects of Hegel's *Philosophy of Right* for contemporary interpreters is its discussion of the constitutional monarch. This is true despite the general agreement amongst virtually all interpreters that Hegel's monarch is no more powerful than modern constitutional monarchs and is an institution worthy of little attention or concern. In this article, I will examine whether or not it matters who is the monarch and what domestic and foreign powers he has. I argue against the virtual consensus of recent interpreters that Hegel's monarch is far more powerful than has been understood previously. In part, Hegel's monarch is perhaps even more powerful than Hegel himself may have realized and I will demonstrate certain inconsistencies with some of his claims. My reading represents a distinctive break from the virtual consensus, without endorsing the view that Hegel was a totalitarian.

I Introduction

Perhaps one of the most controversial aspects of G.W.F. Hegel's *Philosophy of Right*² for contemporary interpreters is its discussion of the constitutional monarch [*der konstitutionell Monarch*].³ This is true despite the general agreement amongst virtually all interpreters that Hegel's monarch is no more powerful than modern constitutional monarchies, such as those found in

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² See G.W.F. Hegel, *Grundlinien der Philosophie des Rechts*, Vol. 7, ed. Eva Moldenhauer and Karl Markus Michel (Frankfurt am Main, 1970) (hereafter 'PR'). Unless stated otherwise, all English translations will be from G.W.F. Hegel, *Elements of the Philosophy of Right*, ed. Allen W. Wood, trans. H.B. Nisbet (Cambridge, 1991). Remarks will be noted by 'R' and additions by 'A' following the appropriate paragraph number.

³ It should be noted that some commentators believe that Hegel offers distinctly different treatments of the justification and powers of the constitutional monarch in his *Philosophy of Right* and other writings, most notably Karl-Heinz Ilting. However, I agree with the work of Jean-Philippe Deranty, which clearly demonstrates that these seemingly different treatments of the monarch (as well as other state institutions) in Hegel's *Philosophy of Right* and additional writings compliment each other in one coherent vision. (See Jean-Philippe Deranty, 'Hegel's Parliamentarianism: A New Perspective on Hegel's Theory of Political Institutions', *Owl of Minerva*, 32 (2001), pp. 107–33; Karl-Heinz Ilting, 'The Structure of Hegel's "Philosophy of Right"', in *Hegel's Political Philosophy: Problems and Perspectives*, ed. Z.A. Pelczynski (Cambridge, 1971), pp. 90–110; and Thom Brooks, *Hegel's Political Philosophy: A Systematic Reading of the Philosophy of Right* (Edinburgh, 2007).)

Britain.⁴ This common view has only recently come into vogue, as Hegel's monarch had long been seen as evidence of Hegel's defence of the reactionary Prussian authority of his time. The view of Hegel as a reactionary was put forward most forcefully (and famously) by Karl Popper in his *The Open Society and Its Enemies*.⁵ He not only claimed that Hegel was 'an apologist for Prussian absolutism', but that Hegel is the father of modern totalitarianism.⁶ This reading of Hegel has now been discredited, due in large part to the work of T.M. Knox,⁷ and not least because of various liberal characteristics of the state that Hegel defends which were not features of the Prussia of his time, such as the use of jury trials and representative institutions, as well as the eligibility of all citizens for civil service.⁸

Despite this general agreement, many commentators find Hegel's defence of the constitutional monarch a great weakness in his account of the state, calling it 'arbitrary', 'beset with contradictions', 'bizarre', 'comical', 'implausible', 'obscure', 'troubling', 'unconvincing', 'unusual', 'wide of the mark', and even worse.⁹ Famously, Marx called Hegel's defence of the monarch the

⁴ One notable exception is Renato Cristi who alone argues that Hegel endorses an *absolute* monarchy, albeit a monarchy not 'bent on tyrannizing civil society and its members'. (See F.R. Cristi, 'The *Hegelsche Mitte* and Hegel's Monarch', *Political Theory*, 11 (1983), pp. 601–22.) Karl Marx also believed Hegel endorsed an absolute monarchy. (See Karl Marx, *Early Political Writings*, ed. and trans. Joseph O'Malley with Richard A. Davis (Cambridge, 1994), p. 18.)

⁵ See Karl R. Popper, *The Open Society and Its Enemies. Vol II: The High Tide of Prophecy: Hegel, Marx, and the Aftermath* (London, 5th edn., 1966). Also see Rudolf Haym, *Hegel und seine Zeit* (Berlin, 1857), pp. 357–91 and Bertrand Russell, *A History of Western Philosophy* (New York, 1945), p. 742.

⁶ Popper, *The Open Society and Its Enemies*, pp. 34, 22. See *ibid.*, p. 47: 'The book is pure apologetics. By its appeal to the wisdom of Providence it offers an apology for the excellence of Prussian monarchism; by its appeal to the excellence of Prussian monarchism it offers an apology for the wisdom of Providence.' Herbert Marcuse agrees with Popper that Hegel does glorify the Prussian monarchy, although he does not think Hegel's views are consistent with totalitarianism. (See Herbert Marcuse, *Reason and Revolution: Hegel and the Rise of Social Theory* (London, 2nd edn. [1941], 1955), pp. 216, 218.)

⁷ See T.M. Knox, 'Hegel and Prussianism', in *Hegel's Political Philosophy*, ed. Walter Kaufmann (New York, 1970), pp. 13–29. See also Shlomo Avineri, *Hegel's Theory of the Modern State* (Cambridge, 1972), pp. 185–9; E.F. Carr, 'Reply', in *Hegel's Political Philosophy*, ed. Kaufmann, pp. 30–43; E.F. Carr, 'Final Rejoinder', in *ibid.*, pp. 48–52; T.M. Knox, 'Rebuttal', in *ibid.*, pp. 44–7; and Z.A. Pelczynski, 'Hegel's Political Philosophy: Some Thoughts on Its Contemporary Relevance', in *Hegel's Political Philosophy*, ed. Pelczynski, pp. 230–5.

⁸ See PR, §§227A and 228R (on jury trials), 291 (on civil service), and 298–320 (on the Estates).

⁹ See Avineri, *Hegel's Theory of the Modern State*, p. 187; Michael O. Hardimon, *Hegel's Social Philosophy: The Project of Reconciliation* (Cambridge, 1994), p. 215; Steven V. Hicks, *International Law and the Possibility of a Just World Order: An Essay*

place where his 'logical pantheistic mysticism is clearly evident'.¹⁰ Since Marx's critique, Hegel has normally been criticized for using his speculative logic to justify the necessary existence of a monarch in the just state. Most commentators tend to view Hegel's monarch as not only a strange feature of his *Philosophy of Right*, but as an overly obscure figure of no real importance.¹¹ This common perspective is captured well by Michael Hardimon:

Virtually no one today finds Hegel's arguments for [the monarch] to be compelling. However, if one's concern is with the distribution of power in Hegel's political state, as well it might be, *the proper source of worry* is not the monarchy, whose powers are rather restricted, but rather the bureaucracy, the real seat of power in the modern political state as Hegel represents it.¹²

As a result, many understand the monarch as an institution worthy of little attention or concern. This view has become increasingly controversial due to more recent commentators who take a contrary position, arguing that there is, in fact, 'nothing paradoxical or confused about Hegel's defense of monar-

on Hegel's *Universalism* (Amsterdam, 1999), p. 173; Sidney Hook, 'Hegel and his Apologists', in *Hegel's Political Philosophy*, ed. Kaufmann, p. 90; Dudley Knowles, *Hegel and the Philosophy of Right* (London, 2002), p. 327; Michael Levin and Howard Williams, 'Inherited Power and Popular Representation: A Tension in Hegel's Political Theory', *Political Studies*, 35 (1987), p. 114; Z.A. Pelczynski, 'The Hegelian Conception of the State', in *Hegel's Political Philosophy*, ed. Pelczynski, p. 25; Pelczynski, 'Hegel's Political Philosophy', p. 231; Leo Rauch, 'Hegel, Spirit, and Politics', in *The Age of German Idealism*, ed. Robert C. Solomon and Kathleen M. Higgins (London, 1993), p. 285; Hugh A. Reyburn, *The Ethical Theory of Hegel: A Study of the Philosophy of Right* (Oxford, 1921), p. 252; Steven B. Smith, *Hegel's Critique of Liberalism: Rights in Context* (Chicago, 1989), p. 152; and Mark Tunick, 'Hegel's Justification of Hereditary Monarchy', *History of Political Thought*, XII (1991), p. 482.

¹⁰ Marx, *Early Political Writings*, p. 1. See George Sabine, *A History of Political Theory* (New York, 3rd edn., 1961), p. 663.

¹¹ In his highly informative *A Hegel Dictionary*, Michael Inwood surprisingly does not include an entry for the monarch, saying no more than '[The monarch] has the final decision in the appointment of executives and in acts of state such as the declaration of war, but his decisions are guided by expert advice. He is not an absolute, but a constitutional monarch.' This scant treatment is evidence of the general lack of importance often attributed to the monarch by contemporary commentators. (See Michael Inwood, *A Hegel Dictionary* (Oxford, 1992), p. 279. See also Bernard Yack, 'The Rationality of Hegel's Concept of Monarchy', *American Political Science Review*, 74 (1980), p. 715: 'it seems that the constitution is a monarchy only in name, while, in fact, it is a bureaucracy, the rule of public officials'.)

¹² Hardimon, *Hegel's Social Philosophy*, p. 215 (emphasis added). See Allen W. Wood, 'Introduction', in *PR*, p. xxiv: 'Hegel plainly intends real political power to be in the hands neither of the prince nor of the people, but of an educated class of professional civil servants' and Pelczynski, 'Hegel's Political Philosophy', p. 234.

chy'.¹³ These recent arguments are based on alternative justificatory strategies, rather than those which are explicitly endorsed by Hegel, in an attempt to make his defence seem more plausible to modern readers.¹⁴

In this article, I will argue first that Hegel's justification of the constitutional monarch is established with the use of his logic. I will turn my attention next to the question of whether or not it matters who serves as the monarch. I will then examine the domestic and foreign powers of the monarch. I argue against the virtual consensus of recent interpreters that Hegel's monarch is far more powerful than has been understood previously. In part, Hegel's monarch is perhaps even more powerful than Hegel himself may have realized and I will demonstrate certain inconsistencies with some of his claims. My interpretation represents a distinctive break from the virtual consensus on Hegel's monarch, without endorsing the view that Hegel was a totalitarian.

II

Hegel's Justification of the Monarch

Hegel justifies monarchy on unique grounds. He does not endorse the classic defence of monarchy, the divine right of kings.¹⁵ Nor does he follow Thomas Hobbes and argue that prudential considerations regarding defence from invasion and individuals in society from one another might justify rule by a single sovereign.¹⁶ Instead, Hegel establishes his justification in his speculative

¹³ Peter J. Steinberger, *Logic and Politics: Hegel's Philosophy of Right* (New Haven, 1988), p. 222. See Tunick, 'Hegel's Justification of Hereditary Monarchy', pp. 481–96 and Yack, 'The Rationality of Hegel's Concept of Monarchy', pp. 711, 716.

¹⁴ See Brooks, *Hegel's Political Philosophy*.

¹⁵ The classic justification of monarchy is the divine right theory of kings as put forward by Sir Robert Filmer in his *Patriarcha*. He argues that the rule of a monarch best ensures the liberty of his people (Robert Filmer, *Patriarcha and Other Writings*, ed. Johann P. Sommerville (Cambridge, 1991), p. 4). In addition, Filmer claims that the right of kings to rule descends from the fact that God gave Adam dominion over the world. Since Adam, kings rule their people as a father has authority over his children. Filmer says: 'To confirm this natural right of regal power, we find in the decalogue that the law which enjoins obedience to kings is delivered in terms of "honour thy father" as if all power were originally in the father' (*ibid.*, pp. 11–12). In addition, he claims that the apparent absence of other forms of government from any mention in the Bible further supports the view that God sanctions the existence of monarchy alone (*ibid.*, pp. 7, 23). The classic refutation of Filmer's *Patriarcha* is John Locke's *The First Treatise on Government* where he argues that in *Patriarcha* 'there was never so much glib nonsense put together in well sounding English' (John Locke, *Two Treatises on Government*, ed. Mark Goldie (London, 1993), p. 3).

¹⁶ See Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge [1651], 1996), pp. 117–21 [Chapter 17]. Nor does Hegel claim the monarch is justified on the grounds that he fulfils some 'symbolic role' the monarchy might play for citizens. I therefore disagree with Terry Pinkard. (See Terry Pinkard, *Hegel's Phenomenology: The Sociality of Reason* (Cambridge, 1994), p. 328 and Alan Brudner, 'Constitutional Monarchy as the

logic.¹⁷ He is very explicit about this: 'With the organization of the state (which in this case means constitutional monarchy), the one thing which we must bear in mind is the internal necessity of the Idea: *all other considerations are irrelevant*.'¹⁸ Therefore, Hegel's views are the very opposite of Hobbes's position, as prudential and consequentialist considerations are *not* at the heart of Hegel's justification of the monarch.¹⁹ However, this is *not* to say there is an absence of any resulting prudential benefits from having a monarchy. Indeed, we may well discover that there are such benefits in support of it. Nevertheless, for our purposes here, Hegel's position is simply that nothing other than the Idea's logical development should be brought to bear on the proper organization of the state which entails that the state must have a monarch at its head. My intention in this section is to contrast my reading of Hegel's justification of the monarch with competing interpretations in the literature, rather than to make a case that the monarchy as Hegel understood it should be a part of contemporary institutions.

Most commentators on the *Philosophy of Right* find Hegel's justification particularly obscure. Some even go so far as to claim that there is none to be found at all, saying that Hegel's monarch 'simply exists, without the need of further proof to ground his existence'.²⁰ For these reasons, hardly anyone today finds Hegel's justification of the monarch persuasive and much of its criticism is rather harsh. For example, Dudley Knowles says:

So [Hegel] rolls out a ramshackle constitutional structure, continuously drawing readers' attention to its 'rational' credentials. Thus, to take a comical example, it is not its utility in preventing the formation of conflicting factions which justifies the practice of hereditary succession to the monarchy — such a consideration would demean the majesty of the monarch. Rather it is the fact that the will of the state as expressed in the monarchy is 'simple and therefore an *immediate* individuality [*Einzelheit*]', so that the determination of *naturalness* is inherent in its very concept' . . . Marx sees through this self-serving nonsense . . . Even to *endorse* the credentials of a hereditary monarch following free-ranging reflection at a dinner party is to

Divine Regime: Hegel's Theory of the Just State', *History of Political Thought*, II (1981), p. 127.)

¹⁷ Perhaps one of the better treatments of Hegel's justification of the monarch — as it takes Hegel's logic into account — is Alan Brudner, 'Constitutional Monarchy as the Divine Regime', pp. 119–40 and Brooks, *Hegel's Political Philosophy*, Chapter VII.

¹⁸ *PR*, §279A (translation modified) (emphasis added).

¹⁹ My view is thus *contra* Pelczynski's claim that '[a]part from an obscure metaphysical argument . . . Hegel can only justify his preference for monarchical sovereignty on the not very strong grounds of expediency' (Pelczynski, 'Hegel's Political Philosophy', p. 231). Prudential reasons do appear in Hegel's account, but it is the so-called 'obscure metaphysical argument' that does the primary work on the question of why, for Hegel, the rational state must be a monarchy, as I will demonstrate in this section.

²⁰ See Cristi, 'The *Hegelsche Mitte* and Hegel's Monarch', p. 618.

demean the majesty of the institution. *Only* the speculative method will serve — and it serves up a dish so dreadful that it discredits the method.²¹

Indeed, Knowles is far from alone in his dissatisfaction with Hegel's arguments.²² For example, Herbert Marcuse claims that Hegel is guilty of 'betraying his highest philosophical ideas'.²³

I do not believe that the importance of logic in Hegel's justification of the monarch need be itself particularly problematic. Hegel states quite clearly in his preface to the *Philosophy of Right* that he has 'presupposed' that his readers would have a prior familiarity with his logic.²⁴ This is hardly surprising: after all, the *Philosophy of Right* was never intended to be read as a freestanding work, independently of Hegel's system of speculative philosophy.²⁵ Hegel presents this philosophical system in his three-volume *Encyclopaedia of the Philosophical Sciences*, divided into *Logic*, *Philosophy of Nature*, and *Philosophy of Spirit*.²⁶ Much of his life's work was spent elaborating on different parts of this system and the *Philosophy of Right* is no exception: it is an elaboration of 'objective spirit' in the third volume, the *Philosophy of Spirit*.²⁷

²¹ Knowles, *Hegel and the Philosophy of Right*, p. 327 (emphasis given).

²² It might appear that Hegel does, in fact, justify hereditary monarchy as a way of preventing the formation of factions. However, this reading is not supported by Hegel in *PR* at §281R: 'If the mode of succession is clearly defined — i.e., if the throne is inherited — the formation of factions is prevented when the throne falls vacant; this circumstance has long been cited, and rightly so, in support of hereditary succession. Nevertheless, this aspect is merely a consequence, and if it is made into a *ground* [*Grund*], it debases [the monarch's] majesty to the sphere of ratiocination . . . [grounding] it not upon the Idea of the state which is immanent within it, but on something *outside it*.' (Emphasis given.) It does seem true that Hegel does, in fact, argue that the justification of the hereditary monarch is further supported by the fact that factions are prevented, however it is important to note that this is not, in fact, the monarchy's primary justification.

²³ Marcuse, *Reason and Revolution*, p. 218. Karl Marx believes that Hegel's monarch is 'the *actual incarnation* of the Idea' (Marx, *Early Political Writings*, p. 5 (emphasis given)).

²⁴ See *PR*, Preface p. 10 and §2R.

²⁵ See *PR*, Preface, pp. 9–10.

²⁶ These three parts of the system are now published as G.W.F. Hegel, *The Encyclopaedia Logic: Part I of the Encyclopaedia of Philosophical Sciences with the Zusätze*, trans. T.F. Geraets, W.A. Suchting and H.S. Harris (Indianapolis, 1991); G.W.F. Hegel, *Hegel's Philosophy of Nature: Part Two of the Encyclopaedia of the Philosophical Sciences (1830) Translated from Nicolin and Pöggeler's Edition (1959) and from the Zusätze in Michelet's Text (1847)*, trans. A.V. Miller (Oxford, 1970); and G.W.F. Hegel, *Hegel's Philosophy of Mind: Part Three of the Encyclopaedia of the Philosophical Sciences (1830) Together with the Zusätze in Boumann's Text (1845)*, trans. William Wallace and A.V. Miller (Oxford, 1971).

²⁷ The section 'objective spirit' is found at Hegel, *Philosophy of Mind*, §§483–552. On Hegel's claim that his *Philosophy of Right* is an elaboration of 'objective spirit' and, thus, to be understood as part of his philosophical system, see Hegel, *PR*, §§2R, 3R, 4R,

Hegel's understanding of logic and its application in his system resists easy characterization. However, it is not so arcane and complex as to resist a brief explanation. Hegel's discussion of the structure of rationality is presented in his views on logic and this logic grounds his philosophical system.²⁸ For Hegel, philosophy is a project concerned with a rationalist understanding of the world. For example, he believes that in order to find the best justification or value of something we must ascertain its 'rationality'.²⁹ Thus, he characterizes the *Philosophy of Right* in the following way: 'This treatise, in so far as it deals with political science, shall be nothing other than an attempt to comprehend and portray the state as an inherently rational entity.'³⁰ Hegel's logic is brought to bear on his political philosophy in that the logic provides our key to understanding the state 'as an inherently rational entity'.³¹

In the *Philosophy of Right*, Hegel's logic makes explicit the immanent development of reason towards 'freedom and truth' as 'the Idea' [*Idee*],³² that is, the 'unity' of a rational concept [*Begriff*] with its reality.³³ Hegel fittingly refers to his treatment of the monarch as 'the Idea of the monarch' [*die Idee des Monarchen*].³⁴ This treatment is not of any monarch in particular, but only of its rational justification and place within the organization of the state. For Hegel, this 'Idea' must take shape as universality, particularity and individuality, as he believes he has demonstrated previously in his logic.³⁵ In this case, the Idea takes shape as a *particular individual* with *universal* powers: the

7R, 8R, 26R, 31, R, 33R, 34R, 48R, 57R, 78, 88, 95, 148R, 161, 163R, 181, 256R, 258R, 270R, 278, 279R, 280R, 281R, 302R and 324R. Note that most of the references to his logic and system are made in his revised 'remarks' in later editions of the *Philosophy of Right*. There is no doubt, however, about how Hegel wanted readers to understand the *Philosophy of Right*: that is, as part of his system of speculative philosophy developed from his *Logic*.

²⁸ Hegel's logic is presented in outline form in his *The Encyclopaedia Logic*. A more fleshed out version is found in his *Hegel's Science of Logic*, trans. A.V. Miller (Amherst, 1969).

²⁹ See Hegel, *Science of Logic*, p. 216.

³⁰ *PR*, Preface, p. 21.

³¹ See Hegel, *Encyclopaedia Logic*, §6R: 'we have to presuppose that the reader has enough education to know . . . what is there is partly *appearance* and only partly actuality . . . a contingent existence does not deserve to be called something-actual in the emphatic sense of the word; what contingently exists has no greater value than that which something-possible has; it is an existence which (although it is) can just as well *not be*. But when I speak of actuality, one should, of course, think about the sense in which I use this expression, given the fact that I dealt with actuality too in a quite elaborate [*Science of*] *Logic*' (emphasis given).

³² See Hegel, *Science of Logic*, p. 37. See *PR*, §2.

³³ Hegel, *Science of Logic*, p. 587.

³⁴ See *PR*, §281A. Indeed, Hegel calls the application of his logic the 'animating soul' (Hegel, *Encyclopaedia Logic*, §24A2).

³⁵ See *PR*, §§273R, 279R, A, 281.

monarch.³⁶ The monarch is thus thought to unify universality, particularity and individuality.

However, there is more to the justification of the monarch than this — otherwise, it may look like critics, such as Marx, have been correct to say Hegel's monarch is simply an 'incarnation of the Idea'.³⁷ The progressive development of the Idea is, firstly, a development of reason. For Hegel, the monarch is justifiable because its rationality follows necessarily from the previous developments of reason. Hegel is therefore able to claim '[t]he monarchical constitution is therefore the constitution of developed reason', as the monarch represents an advance in the progression of reason.³⁸ Such an advance is not made simply with respect to 'reason' alone, as such, but, within the context of the *Philosophy of Right*, the rational development of the freedom of the will.³⁹ This development acquires a certain shape and structure through the course of the *Philosophy of Right* in broad terms, such as the three spheres of 'abstract right', 'morality' and 'ethical life', but also in the structures internal to these three spheres, such as in the state's separation of powers into 'the power of the sovereign', 'the executive power' and 'the Estates'.⁴⁰ For Hegel, these divisions of the *Philosophy of Right* embody the structure of freedom in the state,

³⁶ See G.W.F. Hegel, *Lectures on Natural Right and Political Science: The First Philosophy of Right: Heidelberg 1817–1818 with Additions from the Lectures of 1818–1819*, trans. J. Michael Stewart and Peter C. Hodgson (Berkeley, 1995) (hereafter 'LNR'), §§137, R, 138, R.

³⁷ See Marx, *Early Political Writings*, p. 5.

³⁸ See Hegel, *Philosophy of Mind*, §542. Hegel says that 'the business of our science' is 'the rationality of right', 'a philosophical science of the state [*philosophischer Wissenschaft des Staats*]' (PR, Preface pp. 14A, 17).

³⁹ PR, §4, A: 'The ground [*Boden*] of right is the *realm of spirit* in general and its precise location and starting point [*Ausgangspunkt*] is the *will*; the will is *free*, so that freedom constitutes its substance and destiny [*Bestimmung*] and the system of right is the realm of realized freedom [*wirklichen Freiheit*] . . . that which is free is the will. Will without freedom is an empty word, just as freedom is actual only as will or as subject' (translation modified) (emphasis given). See Hegel, *Philosophy of Mind*, §484: 'the purposive action of the will is to realize its concept, freedom [*die Freiheit*], in these externally objective aspects, making the latter a world moulded by the former, which in it is thus at home with itself . . . the concept accordingly perfected to the Idea. Freedom, shaped into the actuality of a world, receives the *form of Necessity*' (translation modified). See also PR, §§31, R, 32, R, A.

⁴⁰ See LNR, §§131, R and Hegel, *Philosophy of Mind*, §541R. Perhaps interestingly, Hegel did not believe the judiciary formed an independent branch of government. Instead, the judiciary is seen as part of the executive because the executive's duties are to apply the universal in particular (and often contingent) cases. (See Hegel, PR, §§272A, 287, 290A.) For the view that Hegel's separation of powers is instead between the 'legislative, executive, and judicial' branches, which I would dispute, see Stephen Houlgate, *Freedom, Truth and History: An Introduction to Hegel's Philosophy* (London, 1991), p. 124.)

a structure that takes the shape of a constitutional monarchy.⁴¹ The state constitutes 'freedom in its most concrete shape' when it possesses these structures.⁴²

Likewise, for Hegel, the monarch represents not only an institution justified by logic, but also an institution within logic's rational, developmental structure that helps to best cultivate freedom in the state.⁴³ Hegel claims there are two specific ways in which the monarch does just this.⁴⁴ Firstly, the state can be conceived as nothing more than an aggregate of competing interests

⁴¹ See *PR*, §§273, R, A, 275, A, 279, R.

⁴² *PR*, §33A.

⁴³ See *PR*, §§273, R, 279R. See Hegel, *Philosophy of Mind*, §544: 'The true difference of [other forms of government] from genuine monarchy depends on the true value of those principles of right which are in vogue and have their actuality and guarantee in the state-power. These principles are those expounded earlier, liberty of property, and above all personal liberty, civil society, with its industry and its communities, and the regulated efficiency of the particular bureaux in subordination to the laws.'

⁴⁴ Bernard Yack argues that here Hegel cannot be correct. Yack says: 'Hegel's logic cannot teach us the rational necessity of hereditary monarchy. We can learn about it only by analyzing the institutions of the modern world in their actual historical context . . . It cannot be deduced from logical principles' (Yack, 'The Rationality of Hegel's Concept of Monarchy', pp. 711, 712). I believe Yack misunderstands how Hegel's logic relates to institutions. For Hegel, logic does not create institutions from nothing: it is a 'comprehension of the present and actual, not the setting up of a world beyond which exists God knows where' (*PR*, Preface, p. 20). Instead, logic enables us to derive meaning from historical institutions. That is, logic alone recognizes the internal rationality of institutions and knowledge of which are more consistent with certain demands of rationality than other institutions. Logic then cannot be said to 'create' monarchy or any other social practice. On the contrary, the proper analysis of modern institutions must take into consideration their logical context and not simply their historical context. Of course, today's world differs in many respects from Hegel's time. Perhaps Hegel's analysis of institutions would be different if democracies were more common at the time of his writing the *Philosophy of Right*, instead of monarchy. We can only speculate. That said, this would not take anything away from the fact that Hegel provides us with a defence of a particular kind of monarchy, not liberal democracy. Hegel reminds us that 'philosophy, at any rate, always comes too late to perform this task . . . the owl of Minerva only begins its flight with the onset of dusk' (*PR*, Preface, p. 23 (modified translation)). Thus, philosophy has a historical character, as our knowledge of the world is conditioned by the times we live in: 'philosophy . . . is its own time grasped in thoughts' (*PR*, Preface, p. 21 (modified translation)). However, I am not convinced that Hegel would prefer modern democracy to his constitutional monarchy, nor is there clear evidence in support of such a view. (For example, see Thom Brooks, 'Plato, Hegel, and Democracy', *Bulletin of the Hegel Society of Great Britain*, forthcoming.) In any event, my task here is not to speculate on positions Hegel might have held, but rather to examine a view he clearly held on monarchy, a view contemporary readers have oft misunderstood. I am grateful to an anonymous referee for pushing me on this point.

with the monarch: he alone lends the state an organic unity as an individual 'one'.⁴⁵ Hegel says:

The mature differentiation or realization of the Idea means, essentially, that this subjectivity should grow to be a real moment, an *actual* existence; and this reality is the individuality of the monarch alone — the subjectivity of abstract and final decision existing in *one* person.⁴⁶

There are many important aspects of the state's overall constitution, such as popular representation, that together make up the 'differentiation' of the Idea of the state. Another important aspect is that the monarch must represent *all* citizens, in a way elected representatives cannot.⁴⁷ Hegel says:

the usual sense in which the term 'popular sovereignty' has begun to be used in recent times is to denote *the opposite of that sovereignty which exists in the monarch*. [As conceived] in this opposition [*in diesem Gegensatze*] [to the sovereignty of the monarch], popular sovereignty is not one of those confused thoughts which are based on a *garbled notion* [*Vorstellung*] of the *people*. *Without* its monarch and that *articulation* of the whole which is necessarily and immediately associated with monarchy, *the* people is a formless mass.⁴⁸

In other words, Hegel objects to the use of elections in choosing the head of state because it runs counter to his view of the state as organic. Elected leaders are themselves the products of articulated interests where not all interests that exist in the state may be represented equally. Only with a monarch is this equality respected.

In this way, the state may act as 'one' unity, rather than being led by one person who may not have been everyone's choice. For Hegel, subjecting the head of state to elections entails that whether or not someone is the head of state becomes a matter of 'opinion' and 'arbitrariness'.⁴⁹ On the contrary, the head of state is a necessary part of the rational state and he must be beyond all particular interests of the citizenry. This is not to say that Hegel denies the expression of these particular interests in the state. Indeed, the representation

⁴⁵ *PR*, §279. See *PR*, §§279, 302 and G.W.F. Hegel, *The Philosophy of History*, trans. J. Sibree (New York, 1956), p. 46.

⁴⁶ Hegel, *Philosophy of Mind*, §542R (translation modified). See *PR*, §279R: 'One and the same concept — in this case — which begins by being abstract (because it is itself the beginning), retains its character yet [at the same time] consolidates its determinations . . . and thereby acquires a concrete content. Thus, it is the basic moment of personality, initially abstract in [the sphere of] immediate right, which has continued to develop through its various forms of subjectivity until at this point, in [the sphere of] absolute right, in the state, and in the completely concrete objectivity of the will, it becomes the *personality of the state*, its *certainty of itself*.'

⁴⁷ See Smith, *Hegel's Critique of Liberalism*, p. 154.

⁴⁸ *PR*, §279R (translation modified).

⁴⁹ *Ibid.*, §281R.

of individual interests is reserved for Hegel's legislative body, the Estates.⁵⁰ However, it is to say that Hegel's head of state can simply not be any kind of elected official, as some commentators have argued.⁵¹

The second way in which the monarch best cultivates freedom within the state is the monarch's 'majesty [*Majestät*]'. Hegel claims the monarch is characterized by its majesty as 'the actual unity of the state'.⁵² The monarch is majestic insofar as he is raised above divisive factions within his state.⁵³ As a result, the monarch alone gives proper expression to the activities of the organic state as the power of 'ultimate decision': the monarch's formal decisions are made not only by a particular person, but they represent the decisions of the state as a single entity. For Hegel, the monarch's formal decisions are themselves characterized by the statement 'I will' (or 'I will not').⁵⁴ It is important that this part of the will be represented in the state as an organic unity because otherwise the state would lack its proper form and, thus, freedom for the citizenry will suffer in his view.⁵⁵

Of course, the citizens also suffer if the state fails to decide upon the implementation of particular laws and public policies. Perhaps Hegel's point is in some sense obvious: the state needs someone to declare what the state's positions are, whether it be what the state's planned course of action is in foreign affairs ('our state will now impose trade sanctions with North Korea') or whether the state will pardon a criminal ('our state will release John Smith from prison tomorrow morning'). For Hegel, not only is there a need for someone to pronounce what the state will (or will not) do; but, in addition, he believes that only someone who represents the state as a whole can best perform this function. Otherwise, what the state 'wills' is an expression of a part of society, rather than all sections of it together.

⁵⁰ On Hegel's three Estates, see *PR*, §§201–6, 298–318.

⁵¹ Indeed, several commentators have wrongly believed that an elected prime minister or a president is at least as acceptable for Hegel here as a monarch. For example, see Avineri, *Hegel's Theory of the Modern State*, p. 186; Paul Franco, *Hegel's Philosophy of Freedom* (New Haven, 1999), p. 314; Hicks, *International Law and the Possibility of a Just World Order*, p. 173; Levin and Williams, 'Inherited Power and Popular Representation', p. 106; and Pelczynski, 'Hegel's Political Philosophy', pp. 232–3. These commentators fail to appreciate Hegel's prohibition against voting for a person who must represent the state, as well as falsely believe that 'the monarch is stripped of actual government power' as I will endeavour to show in the following sections (*contra* Pelczynski, 'Hegel's Political Philosophy', p. 232).

⁵² See *PR*, §281.

⁵³ See *ibid.* See Brudner, 'Constitutional Monarchy as the Divine Regime', p. 127 and Steinberger, *Logic and Politics*, p. 220.

⁵⁴ See *LNR*, §138R and *PR*, §§275, 300.

⁵⁵ Thus, Hegel characterizes the monarch as occupying the highest part of the constitution: his office gives the state the organic unity it needs to best satisfy the development of freedom for all. (See *PR*, §§275, A, 276A, 278R, 279, R, A, 281, R, A, 285.)

Finally, we may now wonder just who exactly chooses the monarch. Hegel tells us that who this person is should not itself be particularly important: all that is important is that there, in fact, be a monarch as the head of state.⁵⁶ While a person's character or abilities as such are not primary grounds for choosing who should be monarch, it is essential that this person be selected appropriately. For this reason, we ought not to have a variant of elective monarchy, as we have just seen. Here Hegel argues that the monarchy must be hereditary. As we might expect, his claim is grounded in his logic, rather than on any prudential considerations.⁵⁷ His argument is simple, if still obscure: 'The monarch, therefore, is essentially determined as *this* individual . . . and this individual is definite [*bestimmt*] in an immediate and natural way, i.e. by his *natural birth*.'⁵⁸ Thus, the monarchy should be hereditary because as 'this' person (as opposed to his being someone else) he is who he is 'by his natural birth' in the lottery of nature, rather than through elections. For Hegel, this is not particularly problematic as he says anyone could be a monarch, as 'the particular character of [the monarch] is of no significance'.⁵⁹

In the end, we may remain unpersuaded by Hegel's justification of the monarch. It should now be clear that, for Hegel, the *logical*, rather than consequentialist or prudential, relevance of certain institutions, including monarchy, serves as our *primary* guide to discerning the rationality of our institutions, such as constitutional monarchy.⁶⁰ Interpretations of Hegel's justification of monarchy that fail to acknowledge the central role of his speculative logic misrepresent his clearly stated justification. If we do not take seriously Hegel's use of his logic, then we cannot seriously approach his justification of monarchy either — however implausible this justification may, in fact, turn out to be. Perhaps we would be more greatly persuaded by an appeal

⁵⁶ See *PR*, §280A. I will return to the question of how important the monarch is in Sections III and IV exploring his powers.

⁵⁷ See *PR*, §280R. See also G.W.F. Hegel, 'The German Constitution', in G.W.F. Hegel, *Political Writings*, ed. Laurence Dickey and H.B. Nisbet (Cambridge, 1999), pp. 21, 64.

⁵⁸ *PR*, §280.

⁵⁹ *Ibid.*, §280A.

⁶⁰ I agree with Michael Petry that 'the philosophical structure of the *Philosophy of Right* is simply part of the overall structure of the *Encyclopaedia*, and in itself is essentially irrelevant to practical politics'. (M.J. Petry, 'Hegel and "The Morning Chronicle"', *Hegel-Studien*, 11 (1976), p. 21. See Duncan Forbes, 'Introduction', in G.W.F. Hegel, *Lectures on the Philosophy of World History: Introduction: Reason in History*, trans. H.B. Nisbet (Cambridge, 1975), p. xxx.) Thus I agree, in part, with Z.A. Pelczynski, although I would not agree with him that this means that institutions cannot have *any* 'practical significance'. (See Z.A. Pelczynski, 'An Introductory Essay', in G.W.F. Hegel, *Hegel's Political Writings*, trans. T.M. Knox (Oxford, 1964), p. 135.)

to prudence, rather than speculative logic, as some have maintained.⁶¹ Indeed, Hegel does not deny that certain institutions, not least monarchy, are prudentially desirable as well as logically necessary, as I have tried to illustrate in this section.

III

Does It Matter Who is the Monarch?

For Hegel, rational necessity justifies the existence of a hereditary monarch. While the manner of its justification is highly controversial, there is near unanimity amongst interpreters that who is the monarch is of little real significance.⁶² This view is readily supported by Hegel's own remarks on the monarch's powers. He says:

In a fully organized state . . . all that is required in a monarch is someone to say 'yes' and to dot the 'i'; for the supreme office should be such that the particular character of its occupant is of no significance . . . In a well-ordered monarchy, the objective aspect is solely the concern of the law, to which the monarch merely has to add his subjective 'I will'.⁶³

⁶¹ This is precisely Mark Tunick's argument. Even though it is true that 'Hegel is unimpressed by nonfoundational justifications', Tunick also argues, 'Hegel *does* consistently maintain that ultimately his metaphysics privileges his version of the concept . . . of a practice. But this need not prevent us from appropriating Hegel's interpretation of the purpose or principle of a practice without privileging it, as Hegel does in giving it a metaphysical grounding. There is a "nonfoundational" interpretation of Hegel's claim that hereditary monarchy is justified by *its*, as opposed to *the*, concept.' (Tunick, 'Hegel's Justification of Hereditary Monarchy', p. 490.)

⁶² See Harry Brod, *Hegel's Philosophy of Politics: Idealism, Identity, and Modernity* (Boulder, 1992), pp. 153–4; Brudner, 'Constitutional Monarchy as the Divine Regime', p. 128; Pelczynski, 'An Introductory Essay', pp. 100, 126; Pelczynski, 'Hegel's Political Philosophy', p. 232; Pinkard, *Hegel's Phenomenology*, p. 328; Terry Pinkard, *Hegel: A Biography* (Cambridge, 2000), p. 486; Paul Redding, 'Philosophical Republicanism and Monarchism — and Republican and Monarchical Philosophy — in Kant and Hegel', *Owl of Minerva*, 26 (1994), p. 37; Judith N. Shklar, *Freedom and Independence: A Study of the Political Ideas of Hegel's Phenomenology of Mind* (Cambridge, 1976), p. 155; Steinberger, *Logic and Politics*, pp. 211–12; Tunick, 'Hegel's Justification of Hereditary Monarchy', pp. 491–2; Allen W. Wood, *Hegel's Ethical Thought* (Cambridge, 1990), pp. 13, 282 n.5; and Allen W. Wood, 'Editor's Introduction', in *PR*, p. xxiv.

⁶³ *PR*, §280A. This famous passage appears in lecture additions attributed to Hegel by his students. To my knowledge, only Knowles correctly recognizes a certain tension between Hegel's own written sections and additions to these sections attributed to him by his students from Hegel's lectures on the *Philosophy of Right*. Knowles claims we can discern both a 'hard reading' from Hegel's own sections and a 'soft reading' from the additions attributed to him. Thus, the hard reading emphasizes the ways in which the monarch is 'the crucial element in "the legislative power as a whole"', having 'the power of ultimate decision'; the soft reading emphasizes the monarch's dependence on executive officials and that the monarch need do little more than sign his own name to legisla-

Such remarks have contributed to the common view that Hegel's monarch is essentially a rubber stamp divested of any real power. In fact, Bernard Yack even claims that all Hegel's monarch need do is 'take the trouble to be born' as 'anyone could do the job'.⁶⁴ The monarch is thus an essential feature of the state — otherwise the 'i' goes without being dotted — but it is also 'ultimately trivial'.⁶⁵

In turn, this has led some to compare positively Hegel's monarch with contemporary views of the monarch, such as the one found in Britain. For example, Findlay says:

[Hegel's] views of the Monarch's functions . . . are, in fact, in accord with modern British constitutional practice. The Monarch is merely the necessary apex of the State-structure, and as such he is merely someone who dots the i's, and whose individual character is not of great importance.⁶⁶

The modern reception of Hegel's monarch is to treat it as a minor aberration, whose justification is obscure, whose existence is clearly endorsed, and whose power is negligible.

I will examine the powers Hegel ascribes to the monarch in domestic and foreign affairs in the following two sections. However, in *this* section, I will address the preliminary issue of whether it matters who is the monarch. As we have just seen above, Hegel's answer seems explicit, as he says: 'the particular character of [the monarch] is of no significance'.⁶⁷ Yet, I believe there are several reasons to believe that Hegel cannot hold this position consistently.

Firstly, he does find a person's gender to be of great significance. He says:

Women may well be educated, but they are not made for the higher sciences, for philosophy and certain artistic productions which require a universal element . . . When women are in charge of government, the state is in danger, for their actions are based not on the demands of universality but on contingent inclination and opinion.⁶⁸

Thus, only men should participate in the affairs of state: women are instead best suited for home life.⁶⁹ As a result, Hegel's use of 'monarch [*Monarch*]', or 'princely power [*die fürstliche Gewalt*]', in the organized state is synonymous only with 'king' or 'prince' and not with 'queen' or 'princess'. Hegel's

tion. Of course, the two readings are complementary. (See Knowles, *Hegel and the Philosophy of Right*, p. 329.)

⁶⁴ Yack, 'The Rationality of Hegel's Concept of Monarchy', pp. 716, 714.

⁶⁵ See Avineri, *Hegel's Theory of the Modern State*, p. 188.

⁶⁶ J.N. Findlay, *Hegel: A Re-Examination* (London, 1958), p. 325 (emphasis given).

⁶⁷ *PR*, §280A.

⁶⁸ *Ibid.*, §166A.

⁶⁹ See *LNR*, §§77R, 82, R and *PR*, §§166, R.

conception of the most just state cannot have a woman as its monarch.⁷⁰ Still, we might reject Hegel's attributing rationality as a characteristic of men alone. We could say that he ought to have extended this to women as well. In such a case, we must then acknowledge that while a person's particular character does, in fact, matter on the issue of gender for Hegel, we might also say this should not have mattered for him.

Secondly, it is important that the monarch understand why he makes the decisions he does for the following reasons. For one thing, as we saw above, only the monarch has absolute powers of decision. This power of the monarch is usually considered to be unproblematic, as the monarch here does no more than simply be the individual who formally makes decisions on behalf of the state that were essentially decided by various other institutional bodies administering the state's activities.⁷¹ Therefore, Findlay argues: 'The functions of the Monarch in the State is simply *to take the last decisions* . . . The monarchical majesty resides, further, in the complete *groundlessness* of these last decisions.'⁷² Indeed, we can find Hegel explicitly supporting this reading: 'Yet with firmly established laws, and a settled organization of the State, what is left to the sole arbitrament of the monarch is, *in point of substance*, no great matter.'⁷³

One problem with this view is that it presupposes that the monarch will understand not only the rational necessity of the monarchy, but also its proper function in the state. As we have seen, the monarch is responsible for dotting i's and making formal state decisions. Hegel does not argue that the monarch can make state decisions arbitrarily. For example, he says:

But it is more difficult to grasp this 'I will' as a person, for this [formula] does not imply that the monarch may act arbitrarily: on the contrary, he is bound by the concrete content of the advice he receives, and if the constitu-

⁷⁰ Instead, the women's 'substantial vocation' is not to run a state, but to remain in 'the family' as mothers and caregivers in a traditional role (see *PR*, §166).

⁷¹ See Deranty, 'Hegel's Parliamentarianism', pp. 118–19; Franco, *Hegel's Philosophy of Freedom*, p. 316 and G.W.F. Hegel, *Hegel's Aesthetics: Lectures on Fine Art*, I, trans. T.M. Knox (Oxford, 1975), pp. 193–4. Renato Cristi argues that Hegel's monarch has absolute power, at least insofar as only 'the monarch is granted absolute powers of decision'. (See Cristi, 'The *Hegelsche Mitte* and Hegel's Monarch', p. 608. See Jean-Philippe Deranty, 'Hegel's Parliamentarianism: A New Perspective on Hegel's Theory of Political Institutions', *Owl of Minerva*, 32 (2001), p. 115.)

⁷² Findlay, *Hegel*, p. 324 (emphasis given). See Hardimon, *Hegel's Social Philosophy*, p. 214 and Pelczynski, 'Hegel's Political Philosophy', pp. 232–3. See also the discussion of the monarch's limited powers as 'ethical' in Stephen Houlgate, 'The Unity of Theoretical and Practical Spirit in Hegel's Concept of Freedom', *Review of Metaphysics*, 48 (1995), p. 879.

⁷³ Hegel, *The Philosophy of History*, p. 456. See *LNR*, §138.

tion is firmly established, he often has nothing more to do than to sign his name. But this name is important.⁷⁴

Other interpreters have also been aware of this limit. Peter Steinberger says: 'The freedom of the monarch . . . requires that he be bound and limited by that which reason prescribes; and it seems certain that reason prescribes actions aimed at promoting the good health of the organism as a whole.'⁷⁵

The second reason it is important that the monarch understand why he makes the decisions he does is because it would appear that hereditary monarchy might violate a more general principle deduced from his logic: the right of all individuals to possess *subjective freedom*. For Hegel, subjective freedom is the freedom of individuals to make decisions for themselves, such as their career, and it must not be threatened by the state.⁷⁶ In fact, Hegel says:

In Plato's republic, subjective freedom is not yet recognised, because individuals still have their tasks assigned to them by the authorities [*Obrigkeit*]. In many oriental states, this assignment is governed by birth. But subjective freedom, which must be respected, requires freedom of choice on the part of individuals.⁷⁷

Thus, the potential problem is that the monarch substantively lacks subjective freedom insofar as his main occupation is chosen for him as a hereditary office: he lacks the freedom to make this decision for himself, as it is naturally determined for him instead.

Perhaps Hegel's rejoinder is to say:

The right of the subjective will is that whatever it is to recognize as valid should be perceived by it as good, and that it should be held responsible for an action . . . as right or wrong, good or evil, legal or illegal, according to its cognizance [*Kenntnis*] of the value which that action has in this objectivity.⁷⁸

Hegel may remark that while it is true that the title of monarch is chosen for the natural heir, this heir will freely choose to accept being monarch if he is able to recognize the rational necessity of the monarch's office. That is, while on the one hand the heir inherits the monarchy and appears to have little choice in the matter, it is also true, on the other hand, that the heir would freely choose to become monarch if he can recognize its rational necessity. Indeed, the monarch cannot choose to abdicate the throne, but must inherit it.⁷⁹

⁷⁴ *PR*, §279A.

⁷⁵ Steinberger, *Logic and Politics*, p. 221.

⁷⁶ See *PR*, §§153, 185R, 189, 262A.

⁷⁷ *Ibid.*, §262A.

⁷⁸ *Ibid.*, §132. See *ibid.*, §§124R, 153.

⁷⁹ As the hereditary succession of kings prevents 'the formation of factions', the monarch may not have the choice of abdicating the throne. See *PR*, §§281R, 286 and in particular 286R: 'Thus, public freedom in general and a hereditary succession guarantee

It is most important to note that in order for the heir to make this choice as an act of subjective freedom, he must understand the choice he is making: subjective freedom is not the liberty to simply do whatever one pleases. Thus, Hegel's institution of hereditary monarchy runs the risk of violating the right of subjective freedom unless the heir to the throne can understand the rational necessity of the monarchy. If he can do this, then he will understand that his subjective freedom is best expressed in his choosing to inherit the monarchy.⁸⁰ *Who* the monarch is then *matters* insofar as it is essential that he understands why he must inherit the throne or risk failing to attain his own subjective freedom.⁸¹

As a result, we see again that the personal character of the monarch is far from unimportant for Hegel. Not only must the monarch be male (on grounds we have reason to reject), but the monarch must be able to grasp the rational necessity of the monarchy in addition to the necessity of the monarch for the proper organization of the state. This is particularly crucial for states in the process of adopting Hegel's hereditary monarchy. As Pelczynski is right to say: 'The difference between a limited and an unlimited government, between a constitutional and an authoritarian monarchy, is the difference between ruling within a rational framework and striving to establish it first.'⁸² Here the

each other reciprocally, and their association [*Zusammenhang*] is absolute, because public freedom is the rational constitution, and the hereditary character of the power of the sovereign is, as has already been shown, the moment inherent in its concept.' The natural succession of the throne is to be supervised by Hegel's legislative body, the Estates (see *LNR*, §157). If the monarch should die without an heir, then Hegel tells us that 'the estates of the realm must see to it that a new dynasty ascends the throne without disturbances' (*LNR*, §157R). However, it would appear that the complete rationality of the state is assured only when the monarchy is inherited and chosen by the lottery of nature, rather than the arbitrary selection of estates or the citizenry.

⁸⁰ Cristi argues the opposite case: 'He is allowed full enjoyment of his subjectivity and freedom. But he is alone in this. Only he can dwell in liberal self-determination.' (F.R. Cristi, 'Hegel and Roman Liberalism', *History of Political Thought*, V (1984), p. 294.)

⁸¹ We might be led to think then that there is a conflict between this picture of a monarch who must both satisfy a certain minimum of rational competence alongside his 'naturalness' (e.g. his enjoying his office by inheritance). For Hegel, these *ought* not to conflict, although they may. The average citizen of the just state will each recognize the necessity of the monarch, the need for him to inherit his office, and the importance of his decisions for the state. To this extent, any rational citizen born into the monarchy should welcome his position. Of course, Hegel's state may be rational, but fall well short of actuality (see *PR*, Preface, p. 20). I am grateful to an anonymous referee for pushing me on this point.

⁸² Pelczynski, 'An Introductory Essay', p. 111. He adds at p. 111 n.1: 'Oddly enough, Locke reached a similar conclusion in the *Second Treatise of Civil Government*. In paragraphs 157 and 158 he justifies an arbitrary use of the royal prerogative to abolish rotten boroughs on the ground of rationality and concludes that "whatsoever cannot but be

authoritarian monarch must be in a position to know when the time has come to limit his own powers and devolve power to other institutions in an organic state.⁸³ He must perform this task perhaps without the benefit of a cabinet, as the latter is a characteristic of constitutional, not authoritarian, monarchy. Again, who the monarch is, in fact, does matter — despite Hegel's suggestions to the contrary.

IV

The Domestic Powers of the Monarch

Is the monarch essentially a powerless rubber stamp, as virtually all contemporary interpreters claim? To begin with, Hegel is perhaps surprisingly critical of rubber-stamp monarchs. For example, he says: 'In England the king is this ultimate apex too, but the constitution as a whole reduces him virtually to a cipher. Since 1692 there has never been a case of the king's vetoing a parliamentary decree . . . this inner unity of the concept must also be actualized.'⁸⁴ Hegel's position here is not that monarchs actively ought to veto legislation; but, rather, he does seem to think the monarch should have some meaningful involvement in the affairs of state.⁸⁵ Yet, it may seem that Hegel's criticism is misplaced, for as we have just seen, he also argues that the organized state acknowledged to be of advantage to the society and people in general upon just and lasting measures, will always, when done, justify itself''.

⁸³ It is tempting to suppose that Hegel's monarch is a variety of philosopher-king: each must possess knowledge of governance in order to rule, as well as take their privileged political position as a birthright. There are many differences, not least that Hegel's monarch recognizes the need for himself to rule, whereas Plato's philosopher-king reluctantly pursues his task, even risking his life to do so. (See Thom Brooks, 'Knowledge and Power in Plato's Political Thought', *International Journal of Philosophical Studies*, 14 (2006), pp. 51–77.) In addition, Plato's philosopher-kings rule with absolute power, while Hegel's monarch rules in tandem with his cabinet and elected legislature. Whilst both find privileging knowledge in governance important, they each do so in different ways. I am grateful to Ali Mandipour for pushing me on this point.

⁸⁴ *ENR*, §133R. Hegel complains elsewhere that, in his view, the English monarchy is 'too weak'. (See G.W.F. Hegel, 'On the English Reform Bill', in Hegel, *Political Writings*, ed. Dickey and Nisbet, p. 248. See also *ibid.*, p. 261: 'Consequently, the monarch's share in the executive power is more illusory than real, and its substance lies with Parliament.')

⁸⁵ It is undeniable that Hegel carves out an autonomous sphere for the monarchy, as he does for other parts of his rational state (see *PR*, §286). This sphere of action (detailed in what follows) is a space where monarchy can act. Thus, there is an autonomous sphere of influence for monarchy and Hegel nowhere conceives of the office as relatively powerless. The question then becomes what lies in this monarch's realm of political activity, an area that most scholars have found little, if any, space for the monarch to exert real influence. What follows will be my attempt to demonstrate that this space is wider and further reaching than previously has been thought, short of an endorsement of totalitarianism *as per* Popper's classic assessment. I am most grateful to Iain Hampsher-Monk for suggesting this point.

requires no more of the monarch beyond 'someone to say "yes" and to dot the "i"; for the supreme office should be such that the particular character of its occupant is of no significance'.⁸⁶

There can be no doubt that Hegel's monarch is not fascist nor totalitarian.⁸⁷ However, I believe the monarch is far more powerful than commonly recognized. It is true that the monarch does not choose formal state decisions purely at his own discretion. Instead, these decisions are made by the monarch with the aid of his cabinet [*Ministerium*]. Hegel refers to the monarch with his cabinet as 'the power of the sovereign [*die fürstliche Gewalt*]'.⁸⁸ The cabinet is designed to moderate the effect of the monarch's particular dispositions on the business of the state. It plays an important role in Hegel's state as without moderation the monarch might threaten the rationality of the state through improper state decision-making.⁸⁹ Rather than make decisions based upon his own personal assessment of what rationality demands as such, the monarch is instead advised on such matters by his cabinet.⁹⁰

As discussed in the previous section, I believe the monarch must possess a certain character, namely, the ability to recognize rational necessity. The importance of the monarch's cabinet is that it may help to ensure the monarch chooses wisely. Indeed, it is too often overlooked by interpreters how important the decisions are that the monarch and his cabinet must make in the domestic sphere. Firstly, the monarch and his cabinet propose all pieces of legislation to be approved by the legislature.⁹¹ The legislature does not propose legislative bills.⁹² It is important to note that neither the monarch — nor

⁸⁶ *PR*, §280A.

⁸⁷ See *ibid.*, §265A: 'It has often been said that the end of the state is the happiness of its citizens. This is certainly true, for if their welfare is deficient, if their subjective ends are not satisfied, and if they do not find that the state as such is the means to this satisfaction, the state itself stands on an insecure footing.' While someone, such as Hitler or Stalin, might claim to agree with this statement, it is clear that the 'happiness' and 'subjective ends' of all their citizens were not satisfied in fact. By contrast, for Hegel, both must be fulfilled within an organic unity if the state is to become just.

⁸⁸ See *LNR*, §138 and *PR*, §§275, 279–80, 283. '*Die fürstliche Gewalt*' may also be translated as 'the princely power'.

⁸⁹ See *LNR*, §140, R.

⁹⁰ *Ibid.* Elsewhere Hegel adds that in addition to 'the executive civil servants' there are also 'higher consultative bodies' which 'necessarily work together in groups, and they converge in their supreme heads who are in touch with the monarch himself' (*PR*, §289). Hegel suggests that these 'higher consultative bodies' are 'corporations' (see *PR*, §289R.)

⁹¹ See *LNR*, §149R: 'Legislative proposals must therefore emanate from the sovereign . . . the initiative for laws rests essentially with the power of the sovereign.'

⁹² It is a curiosity why *exactly* the legislature can only accept or reject bills, not propose them — we might suppose that if the legislature can perform the former duty, it can perform the latter. This is not true with Hegel's count and he does not offer a clear argument why this is the case. The closest we might come to this is his earlier claim that par-

any member of his cabinet — propose legislation on their own either. Instead, whatever legislation the monarch chooses to endorse can only be brought to the legislature for consideration if, and only if, ‘the competent minister’ in the cabinet consents to his doing so.⁹³ Hegel says:

Since it is the ministers who are answerable for the power of the sovereign, there can be no action by the ruler determined in a merely personal manner (e.g., by the monarch’s subjective environment, namely the court); his every decision must be signed by the competent ministers.⁹⁴

On the one hand, this passage makes clear the limited powers of the monarch. He cannot make any decision without the prior approval of the responsible member of his cabinet. However, on the other hand, the monarch cannot be held accountable himself and removed from office.⁹⁵ Nor is it possible for him to more or less rule as he likes provided he takes the extra effort of frequently replacing his cabinet ministers, thus finding someone who will sign onto his decisions. The monarch may not simply choose anyone, say, his friends, for example. Rather, the monarch may only select ministers from a given pool of qualified applicants.⁹⁶ Ideally, all potential cabinet ministers would offer the same general advice.

particular interests should be harmonized with the universal interest, but not the other way round. When applied to lawmaking, the legislature (representing particular interests) are charged with harmonizing themselves with the universal interest (represented by the universal class, the cabinet) and, thus, the legislature are charged with no more accepting or rejecting proposed laws from the cabinet (see *PR*, §261R). Instead, the best argument we get is found at *LNR*, §149R: ‘if the assembly formally proposes the laws itself, this implies its independence from the power of the sovereign . . . if the assembly also had the power to propose legislation, it would be capable of embarrassing the state power through its demands’. In addition, the legislature is unable to consult with its constituents when deciding to pass or veto proposed legislation so that they remain ‘equally bound to foster the universal interest’ (*LNR*, §149R). Hegel’s thought seems to be that while particular interests are represented in the legislature, the legislature ‘may not vote and act in the sense of a single city or class, but must vote and act in the sense of the whole’ (*LNR*, §149R). I am *extremely* grateful to Bob Stern for pushing me on this point.

⁹³ See *LNR*, §140.

⁹⁴ *Ibid.*

⁹⁵ See *ibid.*, §139.

⁹⁶ For example, G.W.F. Hegel, *Die Philosophie des Rechts: Die Mitschriften Wannenmann (Heidelberg 1817–1818) und Homeyer (Berlin 1818–1819)*, ed. K.-H. Ilting (Stuttgart, 1983), pp. 166–7, reprinted in Wood’s editorial note to §283 in *PR*, p. 466: ‘[But] the guarantee of the Estates of the realm in particular requires the monarch to take up suitable subjects, and requires that the ministers be chosen on the basis of talent, virtue, rectitude, and diligence. The Prince Regent [of England, later George IV, governing during the incompetency of his father George III] who had his friends in the opposition party and his enemies in the ministry, could not, when he took up the regency, make his friends into ministers. Hence the French ministry [in 1817 under Louis XVIII] is made up of enemies of the royal family, the ultra-loyalists. These examples show that the choice

Unlike the monarch who is answerable to no one, members of his cabinet must answer to the legislature.⁹⁷ It is thought that cabinet ministers can be best held accountable for the advice they offer to the monarch if they debate openly proposals approved by the monarch and themselves.⁹⁸ Furthermore, Hegel claims it is the duty of the legislature to question cabinet ministers in public on state matters.⁹⁹ His reason is that he thinks questioning ministers will serve as a sufficient check on the powers of both the executive and the sovereign.¹⁰⁰ In addition, such debates provide the public with 'a great spectacle of outstanding educational value to the citizens' in matters of the state.¹⁰¹ The monarch and his ministers cannot always guarantee success with the legislation they propose. However, only they can choose what might — and also what might not — become the state's laws.

A second important responsibility of the monarch is the pardoning of any criminals.¹⁰² Here Hegel notes that the courts will often make recommendations to the monarch as to which criminals should be pardoned.¹⁰³ However, only the monarch may pardon criminals, as long as he gains the consent of the relevant minister. There are no limitations on who or how many can be pardoned provided there is ministerial consent.¹⁰⁴ What is distinctly different about granting pardons from proposing legislation is that the monarch only needs the consent of the relevant minister: the monarch does not need the approval of the legislature. Of course, the monarch cannot pardon whomever he pleases as the responsible cabinet minister might object to inappropriate pardons, but his say remains significant for any decisions.

How this might be so requires us briefly to look at how the monarch is thought to properly act as a check on his cabinet. One way in which Hegel's monarch exercises control over the advice he receives is by holding the members of his cabinet responsible for their advice.¹⁰⁵ He does this through his

of ministers in a well-constituted monarchy is not a matter of the mere arbitrary will of the regent.'

⁹⁷ See *LNR*, §140 and Franco, *Hegel's Philosophy of Freedom*, p. 317.

⁹⁸ See *PR*, §284. It is important to note that this does not suggest that the relevant minister is responsible for getting the monarch to agree with him on what should become law, as this passage is equally suggestive that ministers may be held accountable if they fail to convince the monarch to avoid moving forward with a bill proposal.

⁹⁹ See *PR*, §315A.

¹⁰⁰ *LNR*, §149R.

¹⁰¹ *PR*, §315A. See *LNR*, §154R.

¹⁰² See *LNR*, §139 and *PR*, §§282, R, A.

¹⁰³ See *LNR*, §139.

¹⁰⁴ It is worth noting that, for Hegel, pardoned individuals are still technically criminals: 'the pardon does not state that he has not committed a crime' (*PR*, §282A).

¹⁰⁵ See *ibid.*, §295. For Ken Westphal, this raises a possible 'internal weakness'. He says: 'Hegel defended an inherited monarchy in part because no talent is needed to sign legislation, since the cabinet ministers are experts and are accountable for the entire con-

right to select and dismiss cabinet members at his discretion.¹⁰⁶ Of course, the cabinet plays an important role in matters of state and, thus, it is important that the best persons are chosen. Yet, who is chosen — and who is overlooked — for cabinet membership is a matter of some discretion for the monarch, within certain limits.¹⁰⁷ Moreover, the role of cabinet ministers is only to advise the monarch on matters of state, grant consent to his decisions when appropriate, and debate proposals in the legislature. They cannot make any executive decisions on their own.

In addition, cabinet ministers are far from equal partners with the monarch, as ministers can be dismissed at the monarch's discretion. The only check ministers have — their right to refuse consent to the monarch's executive decisions — is particularly weak as the monarch has the potential ability to dismiss uncooperative ministers and replace them with persons more favourable to his own policy preferences. We can now see the relevance of this for the monarch's ability to pardon. If the legislature need not be consulted and the monarch need only gain the consent of the relevant minister who he can replace at will, it seems possible for the monarch to replace ministers until they agree with what the monarch wants. The monarch's ability to pardon is thus a much greater power than it might appear at first blush.

Moreover, the monarch has the right to intervene in any instances where executive officials abuse their position.¹⁰⁸ As with pardons, the monarch need only gain the consent of the relevant minister, whom he can replace at will. The legislature need not be consulted. This right of the monarch is perhaps more worrisome than his right to pardon, as it allows him to have significant control on who makes up the executive branch. In addition, the monarch exerts absolute control on who is allowed to serve at the very top of the executive branch, his cabinet.

It is worth noting that the monarch's ability to select ministers is an important check on ministers. Hegel tells us that the potential ministers a monarch has to choose from a pool of candidates will each satisfy some minimum degree of competency. The only possible check on the ability of bureaucrats to successfully educate potential ministers for political office is the monarch through his ability to appoint and remove ministers at will.

tent of the law (*ibid.*, §§283, 284). But he also counted on the monarch's watchful eye from above . . . to hold the ministers accountable (*ibid.*, §295). He can't have it both ways.' (Kenneth Westphal, 'The Basic Context and Structure of Hegel's *Philosophy of Right*', in *The Cambridge Companion to Hegel*, ed. Frederick C. Beiser (Cambridge, 1993), p. 262.)

¹⁰⁶ See *LNR*, §140 and *PR*, §283.

¹⁰⁷ See note 82 and, in addition, *PR*, §283: 'The appointment of individuals for [cabinet membership] and their dismissal from office fall within the [competence of the] unrestricted arbitrary will of the monarch.'

¹⁰⁸ See *PR*, §§295, R.

Finally, it is important to note that Hegel's monarch differs rather dramatically from contemporary monarchs. For example, Queen Elizabeth II must sign laws in order for them to be enacted and appoints ministers to Her Majesty's Cabinet. However, when the Queen agrees to laws it is the end of the process: when Hegel's monarch agrees to a law it is the beginning of the legislative process as bills are sent then to the legislature afterwards for ratification. Furthermore, the cabinet, for Hegel, is elected by only one person — the monarch. The Queen has no substantive say in who might serve as ministers: she does not appoint ministers until the Prime Minister informs her who will serve as ministers. For Hegel, the decision on who should serve is taken by the monarch, not the people. I would not wish here to defend Hegel's justification of his monarch, only to point out yet again how the person of the monarch is not without consequence for the state and most certainly more powerful than the Queen, despite much commentary to the contrary.

It should be clear that Hegel's monarch is far from a rubber stamp divested of any real power in domestic affairs. He is not only beyond censure and unimpeachable, but the monarch alone selects members of the cabinet. In consultation with his cabinet, the monarch proposes all legislation for the state, pardons certain criminals, and intervenes in cases where executive officials abuse their office. In order for the monarch to be bound 'by that which reason prescribes', he must surely have some understanding of what reason prescribes. Moreover, this knowledge must play some role in the monarch's freely given consent to accept his inherited position: otherwise he would lack subjective freedom which is a right of all individuals in the state. In addition, if the monarch is to hold his cabinet members responsible, then he must be able to vet potential candidates for cabinet positions as well as the quality of the advice he is given. The state will fail to be fully rational should he be mistaken on who should serve in the cabinet or how the state should govern in light of the counsel he receives. Finally, the monarch's particular characteristics are far from irrelevant, despite Hegel's occasional assertions to the contrary. Thus, the monarch's choices *matter* across a number of substantive areas, a position very different from the view of him as a rubber stamp suggested by traditional interpretations. Indeed, the fact that the monarch is not a rubber stamp may well explain why Hegel discusses the monarch's role in the state more than we might normally expect.

V

The Monarch's Role in Foreign Affairs

The powers of the monarch in foreign affairs have been almost entirely overlooked by interpreters.¹⁰⁹ Most interpreters deal with the monarch's role in

¹⁰⁹ Whilst he is untroubled by Hegel's use of the monarch in foreign affairs, perhaps the best understanding of the monarch in international affairs is David Boucher, *Political*

foreign affairs only in passing.¹¹⁰ Indeed, most of the discussion of Hegel's theory of international relations hardly mentions the role of the monarch at all.¹¹¹

Perhaps the primary reason for taking little notice of the monarch here is due to the traditional interpretation that claims that he is a trivial player in foreign affairs. As we saw above, most interpreters view the monarch as an insignificant rubber stamp. Thus, Steven Smith argues that we 'need not expect the monarch to be a wise man'.¹¹² Instead, the monarch's cabinet will take care of all matters of the state with due care. This position is not dissimilar to Raymond Plant, when he says that '[t]he monarch does not himself formulate the policy of the state'.¹¹³ These generally representative views hold that the monarch may, as stated by Pelczynski, 'more or less withdraw from active political life and leave the day-to-day conduct of government to a chancellor or Cabinet'.¹¹⁴

I believe that interpreters have misunderstood the monarch's significant powers in foreign affairs, in addition to his powers in domestic affairs. For Hegel, the monarch and his cabinet represent the state in all matters of foreign relations.¹¹⁵ He says:

The outward orientation of the state derives from the fact that it is an individual subject. Its relationship with other states therefore comes under the power of the [monarch and his cabinet], who therefore has direct and sole

Theories of International Relations: From Thucydides to the Present (Oxford, 1998), pp. 330–53, as well as Thom Brooks, 'Hegel's Theory of International Politics: Reply to Jaeger', *Review of International Studies*, 30 (2004), pp. 149–52 and Brooks, *Hegel's Political Philosophy*, Chapter VIII.

¹¹⁰ See Brod, *Hegel's Philosophy of Politics*, pp. 155–6; Franco, *Hegel's Philosophy of Freedom*, p. 317; Pelczynski, 'An Introductory Essay', p. 105; Pelczynski, 'Hegel's Political Philosophy', p. 232; and Yack, 'The Rationality of Hegel's Concept of Monarchy', p. 713.

¹¹¹ For example, see Robert Arp, 'Hegel and the Prospect of Perpetual Peace', *Diálogos*, 74 (1999), pp. 71–100; Kimberly Hutchings, *International Political Theory: Rethinking Ethics in a Global Era* (London, 1999), pp. 91–120; Hans-Martin Jaeger, 'Hegel's Reluctant Realism and the Transnationalisation of Civil Society', *Review of International Studies*, 28 (2002), pp. 497–517; Adriaan Peperzak, 'Hegel contra Hegel in His Philosophy of Right: The Contradictions of International Politics', *Journal of the History of Philosophy*, 32 (1994), pp. 241–63; Mark Shelton, 'The Morality of Peace: Kant and Hegel on the Grounds for Ethical Ideals', *Review of Metaphysics*, 54 (2000), pp. 379–408.

¹¹² See Smith, *Hegel's Critique of Liberalism*, p. 155 and Tunick, 'Hegel's Justification of Hereditary Monarchy', p. 492. See also Steinberger, *Logic and Politics*, p. 225: 'there is a sense in which, for Hegel, anyone could be king. The king need not be particularly intelligent or insightful, saintly or devout.'

¹¹³ See Raymond Plant, *Hegel: An Introduction* (Oxford, 2nd edn., 1983), p. 173.

¹¹⁴ Pelczynski, 'An Introductory Essay', p. 104.

¹¹⁵ See Hegel, 'The German Constitution', p. 63 and *LNR*, §139.

responsibility for the command of the armed forces, for the conduct of relations with other states through ambassadors, etc., and for making war and peace, and [entering into] concluding treaties of other kinds [*und andere Traktate zu schließen*].¹¹⁶

The monarch and his cabinet as 'the power of the sovereign' [*die fürstliche Gewalt*] represent the state because, for Hegel, states relate to one another as independent, individual subjects.¹¹⁷ Thus, Hegel holds a classic realist view of international relations.¹¹⁸

One consequence of Hegel's realism is that he does not believe that states can be bound by international law. Instead, such laws and treaties can be agreed to or withdrawn from at will.¹¹⁹ As a result, states find themselves in varying degrees of conflict without a supreme authority to resolve any disputes.¹²⁰ Where disputes arise, states may only be able to settle their differences through war.¹²¹ While Hegel certainly does not celebrate war, neither does he view it as something that states should avoid at all costs.¹²² In fact, he argues against perpetual peace amongst states and claims that states benefit from occasionally entering into war with other states: 'Wars are like winds upon the sea; without them the water would become foul, and so it is with the state'.¹²³ Hegel says further: 'Not only do peoples emerge from wars with added strength, but nations [*Nationen*] troubled by civil dissension gain internal peace as a result of wars with their external enemies.'¹²⁴ In war, the state tries to prevent its citizens from focusing exclusively on their individual well-being.¹²⁵ Thus, states become stagnant without occasionally entering into war, as war reminds citizens of their membership of the state.

It is important to note that if the monarch and his cabinet alone decide matters of international affairs, they alone decide whether or not the state should enter into war. The usual check on the sovereign power's actions — the public debates between cabinet ministers and the legislature — is lacking in these instances. This is because all decisions of foreign affairs do not require any

¹¹⁶ *PR*, §329 (translation modified).

¹¹⁷ See *ibid.*, §§329, 331.

¹¹⁸ See Brooks, 'Hegel's Theory of International Relations', pp. 149–52. In addition, see *PR*, §§333, R.

¹¹⁹ See *PR*, §333.

¹²⁰ See *ibid.*, §§333R, 339R.

¹²¹ See *LNR*, §162 and *PR*, §334.

¹²² See *PR*, §324R; Hegel, 'The German Constitution', p. 49; and G.W.F. Hegel, 'On the Scientific Ways of Treating Natural Law', in Hegel, *Political Writings*, ed. Dickey and Nisbet, p. 141.

¹²³ *LNR*, §160R.

¹²⁴ *PR*, §324A.

¹²⁵ See *LNR*, §162R: 'Yet without war peoples sink into merely private life — the security and weakness that makes them an easy prey for other peoples. War is something ethically necessary.'

legislative authority, unlike many decisions of domestic affairs which do. Instead, the legislature can do no more than approve funds for use in war, as only the legislative branch of government has the power to collect tax and endorse its spending.¹²⁶ If the monarch were wealthy enough to finance a war that the legislature was unwilling to fund, a state may still go to war despite the legislature's refusal to fund it.¹²⁷

In addition, as we saw above, the usual check on the monarch's power is his need for a signature from the responsible cabinet member on all relevant acts taken on behalf of the state. Yet, if the relevant minister refused to support the monarch, the monarch could simply remove the minister and replace him with another at the monarch's discretion until he finds someone more willing to support military action.¹²⁸ Thus, what checks there are on the monarch's powers to wage war appear to be somewhat weak. This is equally true with the drafting of treaties between the monarch's state and another: these decisions are made by the monarch with the signature of the responsible cabinet member, whom the monarch can replace at will. As a result, the monarch's powers to enter the state into treaties or war are relatively unchecked beyond the need to gain the responsible cabinet member's signature and inability to levy taxes without approval from the legislature.

Perhaps even more worrisome for modern readers are the consequences of military action. Of course, innocent people on both sides will suffer in some way from war and neither side may gain in any identifiable way. These conflicts may be also unpopular.¹²⁹ In addition, Hegel says that '[o]nly in the case of danger to the state may it be necessary to transfer more power to a single individual [i.e. the monarch], but never in peacetime'.¹³⁰ Thus, the monarch's powers in foreign affairs appear both great and relatively unchecked. Moreover, in pursuing military conflict, the monarch may justify the temporary expansion of his powers. As before, it is again hard to reconcile this view with his oft-cited passages where he claims that the personality of the monarch

¹²⁶ See *ibid.*, §§157, R.

¹²⁷ The only check on the monarch and his cabinet's ability to wage war levied by the legislature is the latter's ability to control state revenue. If revenue was available from independent wealth and not 'extraordinary' taxation to fund a war, then this legislative check would not have the ability to prevent *in every case* the monarch and his cabinet from waging war. Without the need to gain approval for necessary funds, the legislature plays no part in decisions to go to war.

¹²⁸ The monarch is not entitled to choose absolutely anyone at all (see note 96).

¹²⁹ See *PR*, §329A. As the monarch is not an elected representative of the people, it seems clear that not every decision he takes will be popular. It is, however, equally clear that every decision of the rational state must make the state's true interests its priority.

¹³⁰ *LNR*, §143R. It is impossible to imagine the United Kingdom handing all power to the Queen in a similar crisis, further underscoring the greater power of Hegel's monarch over the British monarch.

'makes no difference' and 'has no influence'.¹³¹ On the contrary, who the monarch is and how he exercises judgments on behalf of the state seem to be of significant importance.

Despite the fact that a monarch *can* pursue whatever course of state action in world affairs he might like, Hegel does not believe a monarch *ought* to pursue whatever actions take his fancy. Indeed, the relations between states should not be arbitrary. One of the reasons Hegel believes the sovereign power should make decisions relating to war and peace is because it is most likely to pursue rational ends, rather than its particular passions. He says:

But if it is imagined that sovereign princes [*Fürsten*] and cabinets are more subject to passion than parliaments are, and if the attempt is accordingly made to transfer responsibility for war and peace into the hands of the latter, it must be replied that whole nations are often more prone to enthusiasms and subject to passion than their rulers are.¹³²

In fact, Hegel criticizes England for deciding matters of war and peace in its Parliament. He claims that popular decisions to go to war in England's past were later found to be 'useless and unnecessary' and decided upon 'without calculating the cost'.¹³³ Popular sentiment is a poor guide to what a state should do and 'the complexities' of international relations become 'so delicate' that an unelected body guided by reason, rather than public passions, is best suited for making judgments in foreign affairs.¹³⁴

It should be clear that we cannot discuss Hegel's views of international relations without noting the powerful presence of the monarch. Here the monarch's discretion is greater than in domestic affairs as both his decisions and the advice of his cabinet do not face any scrutiny. Even more, who the monarch is matters as not only are all state decisions in foreign affairs his ultimate judgment, but when the state enters into military conflict his overall powers increase. The picture that Hegel paints of the monarch is not that of a totalitarian leader, as the monarch ought not to pursue policies that do not accord with the state's true interests. Indeed, if the monarch were to act in this way, this will become evident in Hegel's view should the state fail or be conquered. Furthermore, we may well not be entirely convinced as modern readers that the monarch should have the powers that Hegel ascribes to him. Nevertheless, it is clear that Hegel's constitutional monarch is not a relatively powerless rubber stamp.

¹³¹ *Ibid.*

¹³² *PR*, §329A.

¹³³ *Ibid.*

¹³⁴ *Ibid.*

VI Conclusion

As we have seen above, Hegel famously says:

In a fully organised state . . . all that is required in a monarch is someone to say 'yes' and to dot the 'i'; for the supreme office should be such that the particular character of its occupant is of no significance. Whatever other qualities the monarch has in addition to his role of ultimate decision belong to [the sphere of] particularity [*Partikularität*], which must not be allowed to affect the issue.¹³⁵

My contention here is that this oft-cited statement of the monarch is inconsistent with Hegel's overall view of the monarch. The particular character of the monarch *is* of great significance. Not only must the monarch be male, but he must recognize the rationality of his inheriting the throne. In addition, his good judgment is crucial in vetting potential cabinet members as well as their advice. The monarch's judgments are nowhere more important than in foreign affairs where he decides matters of war and peace alone with his relevant cabinet minister whom he personally selects. Indeed, if '[i]n its institutions the state must be a temple of reason', then the monarch's rational decision-making is one necessary part.¹³⁶

Terry Pinkard says:

One of the problems involved in doing the history of philosophy is reinterpreting past philosophers in such a way that the relevance of their work to contemporary discussion can become clear. In doing so one often finds that certain doctrines to which a philosopher himself attached great significance may not be central to a particular line of his argument.¹³⁷

It is most often thought by interpreters that Hegel's monarch is a relatively unimportant feature of his theory of the state. On the contrary, I have demonstrated that, in his own terms, Hegel is right to give the monarch the significance he does and that, in turn, this significance is far greater than has been recognized. The constitutional monarch is a necessary part of Hegel's rational

¹³⁵ *Ibid.*, §280A.

¹³⁶ Here there might appear to be some relation between Hegel's monarch and Plato's philosopher-king. There are, however, several notable differences. Unlike Plato's philosopher-king, any male can become monarch. I am inclined to think this person would need some philosophical training to ascertain the rational, but there is no defence of natural aristocracy as we find with philosopher-kings. In addition, the monarch does not rule reluctantly, but freely chooses his office, in keeping with the exercise of his subjective freedom. Thus, while both Hegel and Plato's states depend on rulers capable of sound judgment, the monarch and philosopher-king have little else in common.

¹³⁷ Terry Pinkard, 'The Logic of Hegel's *Logic*', in *Hegel*, ed. Michael Inwood (Oxford, 1985), p. 85.

state that is simply too powerful for interpreters to continue to overlook or discount. He is anything but a rubber stamp.¹³⁸

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¹³⁸ This article benefited from discussions held at the annual conferences of the Classical Association and the Global Studies Association, each held in Newcastle, and that of the Hegel Society of Great Britain held in Oxford. I am grateful to Chris Bennett, Fabian Freyenhagen, Christopher Hookway, Stephen Houlgate, Tim Kelsall, Dudley Knowles, Ali Mandipour, Kathryn Wilkinson and, most especially, Iain Hampsher-Monk, Bob Stern, Leif Wenar and two anonymous referees for their helpful comments on earlier drafts.